on the whole subject at the next session of the House. But so far as this particular election is concerned I shall give a provisional ruling which, as a matter of principle, should not be regarded as final—I want to make it clear that on a careful investigation of the law on the subject it may be that the procedure adopted by Mr. Govindan is the right procedure. But I do not wish to say one way or the other at present: So, subject to what may be called a final decision as a result of a considered ruling on the subject to be given at the time of the next sitting of the House, I direct that another election shall be held with regard to the second seat on the University Senate. So far as this second seat is concerned that election will be held after the business of the day is over. The ordinary system of voting by ballot will be adopted.

TIME-LIMIT FOR THE RECEIPT OF QUESTIONS—POINT OF ORDER *re*—

Mr. K. C. Chandy: Sir, on a point of order. I have been served with a reply by the Secretary to the Council saying that some of the .questions sent up by me were received late and that therefore they were disallowed. Rule 12 of the Legislative Rules says :

> "A member who wishes to ask a question shall give notice in writing to the Secretary at least 12 clear days before the date fixed for the meeting at which he desires to put the question and shall together with the notice submit a copy of the question which he wishes to ask :
>
> Provided that the President may allow a question to be put with shorter notice than 12 days and may in any case require longer notice or may extend the time for answering a question."

The expressions are "twelve clear days' notice" and "the date at which he desires to put the question"—these are very important. My letter to the Secretary is dated 9th Chingom 1120. I had pointed out that those questions were to be put at the meeting of the Council to be held on 27-1-1120. Neither the Act nor the rules define the word 'meeting' or the 'session'. The Standing Orders give a definition of the two words. 'Meeting' means a meeting of the Council. 'Session' means the whole period from the time when the Council is assembled to the time when it is prorogued. If you look at the list of business supplied to us each day it gives that the following business will be transacted at the meeting to be held on such and such a day. Therefore my point is that meaning of the word 'meeting' as contemplated by rule 12 is only a sitting of the Council and if that be so, my questions were within time and therefore they should not have been disallowed.

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Mr. K. G. Kunjukrishna Pillai: Sir, there is a ruling on the matter which I may bring to the notice of the Chair where the meaning of the expression 'meeting' occurring in the rule is clearly defined. The question was this :—

> 'Sir, I wanted to make some representation in regard to the question that I sent. They reached this office on the 3rd of Karkadagom and the regular business of this meeting commences only from to-day although there was a meeting on the 7th. There was no further business than the speech of the Financial Secretary on that day. Then there was the notice to hold a session from the 8th forward. There was also a conditional notice. It read as follows :—
>
> 'I am directed by the President to inform you that if the Agriculturists' Relief Bill is passed by the Sri Mulam Assembly, it will be taken up for consideration by the Council at its meeting to be held at 12 noon on the 22nd July 1936 and on the succeeding three days.'
>
> 'But somehow it so happened that the Bill could not be taken up. So the regular business begins only from today forward. The rule specifically says :
>
> 'A member who wishes to ask a question shall give notice in writing to the Secretary at least 12 clear days before the date fixed for the meeting at which he desires to put the question.'
>
> "I desired to put the questions only today. As such the questions were in time. After getting the order that questions are rejected I sent in another letter requesting that in the light of Rule 12, the order may be re-considered. I regret to submit that I have not got a reply to that. So, I request that a definite ruling may be passed now by the chair. Further, under the rules questions have to be sent only 12 clear days before the *actual meeting*."

The President ruled : "The fact so far admitted appears to be that the session was summoned for the 22nd July. It did not take place on that day for particular reasons. The question which the Honourable Member now asks is whether this session of the Council can be taken to have commenced on the 22nd July although no business was transacted on that day. Conversely, if the session fixed for the 22nd July had proceeded to transact work, obviously this session would have been regarded as having commenced on the 22nd July. It was, therefore, an accident."

The member further pointed out that in the rule the word used is 'meeting' and not 'session.'

The President then added : "Therefore the 22nd July was the day of the meeting. However it was by a mere accident that the meeting which had been convened for the 22nd July could not take place. If it had taken place the Honourabl Member would certainly not have been in order in continuin

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the same questions on the ground that the meeting did not begin on the 22nd July. I have considered that question very carefully at the time these questions were sent up. I think there is no other ruling to be given now than what has already been given."

President: Order, order. The matter is of some importance and I shall therefore give my ruling on the subject straightway. The word 'meeting' that is used here with regard to the putting of questions can only refer to the first day of the meeting of the Council or the Assembly, as the case may be. It so chances that during the Budget session, there are 10 or 12 days allotted to the consideration of the Budget by the lower House and 7 or 8 days allotted for the Upper House. It will be seen that this is a rule which applies to all meetings of the Houses. The meeting may go on for 1 or 2 days or 4 or 5 days or may be prolonged for 20 days and more. The object of giving a certain period of time for the putting of questions is to enable the Secretariat and the various Departments of Government to collect the necessary material and have the answers ready in response to the questions. For that purpose, a certain time, namely 12 clear days, is fixed. Supposing that a Bill happens to be a very contentious one. There is no rule of time limit for the consideration of Bills. Suppose that Bill makes the house stay on for 5, 6 or 10 days. It cannot be contended that in the expectation or hope that a question would not be actually put on the floor of the House, such and such number of days is sufficient, or might be sufficient. The ruling therefore is that the word 'meeting' intended there is the commencement of the meeting of either House in relation to that particular session of the House.

LEGISLATIVE BUSINESS.

TRANSFERS AND BEQUESTS TO UNBORN PERSONS BILL— REFERENCE TO SELECT COMMITTEE.

Mr. G. Narayana Aiyar: Sir, I move that the Travancore Transfers and Bequests to Unborn persons Bill be referred to a Select Committee.

Mr. K. A. Raman Pillai: I second it.

Mr. K. C. Chandy: I rise to a point of order. Under Rule 54 at page 81 of the Legislative Rules,—

"On the dissolution of either Chamber all Bills, other than Government Bills, which have been introduced in the Chamber which has been dissolved or have been sent to that Chamber under Rule 86 and which have not been passed by the Legislature, shall lapse except under such circumstances as may be provided for by Standing Orders made in this behalf."

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